

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:21-cv-00396-MR**

**QUANTERIUS HOMMIE
WHATLEY,**

Plaintiff,

vs.

GARY MCFADDEN,

Defendant.

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ORDER

THIS MATTER is before the Court on review of this docket in this matter.

Plaintiff Quanterius Hommie Whatley ("Plaintiff") filed a *pro se* civil action on August 2, 2021 pursuant to 42 U.S.C. § 1983. [Doc. 1]. After granting Plaintiff in forma pauperis status, the Court conducted initial review of Plaintiff's Complaint pursuant to 28 U.S.C. § 1915(e)(2). The Court found that Plaintiff failed to state a claim upon which relief can be granted and allowed Plaintiff thirty (30) days from October 27, 2021 to amend his Complaint in accordance with the terms of the Court's Order. [Doc. 12]. The Court advised Plaintiff that if he failed to timely file an amended Complaint, this action would be dismissed without prejudice and without further notice

to Plaintiff. [Id.].

More than 30 days have passed, and Plaintiff has not filed an amended Complaint. The Court will, therefore, dismiss this action without prejudice for Plaintiff's failure to state a claim upon which relief may be granted.

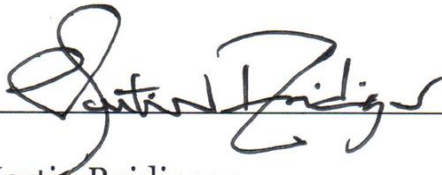
ORDER

IT IS, THEREFORE, ORDERED that Plaintiff's Complaint [Doc. 1] is dismissed without prejudice.

The Clerk is instructed to terminate this action.

IT IS SO ORDERED.

Signed: December 7, 2021



Martin Reidinger
Chief United States District Judge

